

*Washington, DC* - Congressman Maurice Hinchey (D-NY) today released the following statement regarding the U.S. Supreme Court's decision in *Wyeth v. Levine*, which effectively rejected the Bush administration's Food and Drug Administration (FDA) policy of preemption that unfairly shielded drug companies from legitimate liability lawsuits. Hinchey has led the effort to undo the policy from the time former FDA Chief Counsel Daniel Troy began implementing a policy of preemption in 2001 that favored drug companies over the well-being of the American public. The congressman, who is a member of the House panel that allocates the FDA's budget, is the author of the FDA Improvement Act, which is a sweeping bill designed to overhaul and enhance the FDA's ability to protect the American people. That measure includes provisions to undo the FDA's preemption policies.

"Today's Supreme Court decision is an important victory for the American people who have been unfairly denied the ability to hold pharmaceutical companies accountable for devastating and sometimes fatal consequences associated with the use of certain drugs. The Supreme Court has made it clear that drug companies can no longer hide behind the shield of FDA approval and that these companies can be held liable when their products result in the severe harm of its users.

"The FDA is supposed to protect the American people from harmful drugs and devices. Unfortunately, by pursuing a policy of preemption during the Bush administration, the FDA turned the tables and began to fight in court on behalf of drug companies instead of on behalf of the American people. While the Supreme Court's decision today will help ensure that the American people have the right to hold pharmaceutical companies responsible for drugs that produce horrific results, the fact remains that the FDA is fundamentally broken and urgently needs to be revamped in order to adequately protect the public.

"I intend to reintroduce legislation in the coming weeks that will seek to dramatically reform the FDA and put in place a series of safeguards that will help ensure the agency does its job of protecting the American public from bad drugs and devices rather than protecting the bottom line of the pharmaceutical industry. By doing so, we will limit the instances of Americans receiving drugs that don't produce the intended results and ensure that the American people are adequately protected by the agency that is charged with safeguarding them."